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UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA

SANTA CLARITA VALLEY WATER
AGENCY

Plaintiff,

v.

WHITTAKER CORPORATION and DOES
1-10, inclusive

Defendants

Case No.: 2:18-cv-06825-GW-RAO
Hon. George H. Wu, presiding

**DECLARATION OF THOMAS
BRUGATO IN SUPPORT OF
MOTION TO DISMISS OR STAY
THE COMPLAINT**

Date: November 8, 2018
Time: 8:30 a.m.
Courtroom: 9D

DECLARATION OF THOMAS BRUGATO

I, Thomas Brugato, declare as follows pursuant to 28 U.S.C. § 1746:

1. I am an attorney admitted to the bars of California and the District of Columbia, and am employed by Covington & Burling LLP at 850 Tenth Street NW, Washington DC 20001. I represent Defendant Whittaker Corporation in the above-captioned action.
2. I have personal knowledge of the facts set forth in this Declaration, which I make in order to place before the Court documents and testimony in support of Defendant's motion to dismiss or stay the complaint.
3. All of the documents attached to this declaration were obtained from the Department of Toxic Substance Control's ("DTSC") EnviroStor website, <https://www.envirostor.dtsc.ca.gov/public/>.
 - a. The documents from the Whittaker-Bermite Site's administrative record were obtained from https://www.envirostor.dtsc.ca.gov/public/profile_report?global_id=19281087
 - b. The documents from the Saugus Industrial Center Site's administrative record were obtained from https://www.envirostor.dtsc.ca.gov/public/profile_report?global_id=19280025
 - c. The documents from the Castaic Lake Water Agency Site's administrative record were obtained from https://www.envirostor.dtsc.ca.gov/public/profile_report?global_id=60000168
4. The document attached as **Exhibit A** is a true and correct copy of a report entitled Saugus Formation Volatile Organic Compound Investigation Report, dated October 2015. This document was obtained from the administrative record of the Castaic Lake Water Agency Site.

- 1 5. The document attached as **Exhibit B** is a true and correct copy of DTSC's
2 Imminent and Substantial Endangerment Order for the Whittaker-Bermite
3 Site, dated November 2002. This document was obtained from the
4 administrative record of the Whittaker-Bermite Site.
- 5 6. The document attached as **Exhibit C** is a true and correct copy of a letter
6 from DTSC, dated December 2, 2014. This document was obtained from
7 the administrative record of the Whittaker-Bermite Site.
- 8 7. The document attached as **Exhibit D** is a true and correct copy of the
9 Remedial Action Plan for Operable Unit 7 of the Whittaker-Bermite Site,
10 dated December 2014. This document was obtained from the administrative
11 record of the Whittaker-Bermite Site.
- 12 8. The document attached as **Exhibit E** is a true and correct copy of an Interim
13 Remedial Action Plan, dated December 2005. This document was obtained
14 from the administrative record of the Castaic Lake Water Agency Site.
- 15 9. The document attached as **Exhibit F** is a true and correct copy of DTSC's
16 Response to Comments Received on the Whittaker Bermite Operable Unit 7
17 Remedial Action Plan, dated December 2014. This document was obtained
18 from the administrative record of the Whittaker-Bermite Site.
- 19 10. The document attached as **Exhibit G** is a true and correct copy of the
20 Remedial Action Plan for the Saugus Industrial Center, dated January 2015.
21 This document was obtained from the administrative record of the Saugus
22 Industrial Center Site.
- 23 11. The document attached as **Exhibit H** is a true and correct copy of DTSC's
24 approval of the Remedial Action Plan for the Saugus Industrial Center, dated
25 December 17, 2014. This document was obtained from the administrative
26 record of the Saugus Industrial Center Site.

12. The document attached as **Exhibit I** is a true and correct copy of a letter from DTSC dated March 21, 2014. This document was obtained from the administrative record of the Saugus Industrial Center Site.
13. The document attached as **Exhibit J** is a true and correct copy of an Environmental Oversight Agreement, dated March 2003. This document was obtained from the administrative record of the Castaic Lake Water Agency Site.
14. The document attached as **Exhibit K** is a true and correct copy of a letter from DTSC, dated January 20, 2006. This document was obtained from the administrative record of the Castaic Lake Water Agency Site.
15. The document attached as **Exhibit L** is a true and correct copy of a letter from DTSC, dated February 12, 2016. This document was obtained from the administrative record of the Castaic Lake Water Agency Site.
16. The document attached as **Exhibit M** is a true and correct copy of a report prepared by AECOM, dated November 9, 2016. This document was obtained from the administrative record of the Castaic Lake Water Agency Site.
17. The document attached as **Exhibit N** is a true and correct copy of DTSC's Response to Comments Received on the Saugus Industrial Center Remedial Action Plan, dated December 2014. This document was obtained from the administrative record of the Saugus Industrial Center Site.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief. Executed on October 5, 2018.

Thomas Brugato ^{TD}

Thomas Brugato